

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOHN O. MYERS,

Plaintiff,

v.

HSBC INVESTMENTS (USA) INC. and
HSBC SECURITIES (USA) INC.,

Defendants.
-----X

Case No. 07-CV-4078 (RJH)(GWG)

**NOTICE TO TAKE
DEPOSITION UPON
ORAL EXAMINATION
BEFORE TRIAL**

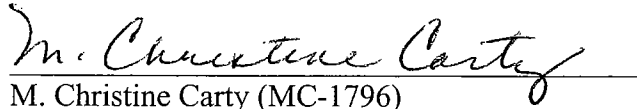
PLEASE TAKE NOTICE that, pursuant to Rule 30 of the Federal Rules of Civil Procedure, Defendants HSBC INVESTMENTS (USA) INC. and HSBC SECURITIES (USA) INC. will take the deposition upon oral examination of BLAIR C. FENSTERSTOCK, at the offices of Schnader Harrison Segal & Lewis, LLP, 140 Broadway, Suite 3100, New York, New York on February 29, 2008 at 10:00 a.m., and continuing thereafter from day-to-day until completed.

PLEASE TAKE FURTHER NOTICE, that pursuant to Rule 30(b)(2) of the Federal Rules of Civil Procedure the deposition will be recorded by one or more of the following: sound, sound-and-visual and/or stenographic means by an individual who is authorized to administer oaths in the State of New York.

You are invited to attend and cross-examine.

Dated: February 8, 2008
New York, New York

SCHNADER HARRISON SEGAL & LEWIS LLP



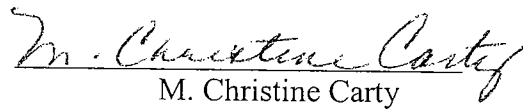
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(212) 785-4100
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice to Take Examination Before Trial was served via email and First Class Mail Delivery this 8th day of February 2008 upon:

Blair C. Fensterstock
Fensterstock & Partners LLP
30 Wall Street
New York, New York 10005
(212) 785-4100
Attorneys for Plaintiff


M. Christine Carty